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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/617,198	07/10/2003	Kenya Uomori	5077-069/DVA	3517

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HARNESSE, DICKEY & PIERCE, P.L.C.
P.O. BOX 828
BLOOMFIELD HILLS, MI 48303

EXAMINER

CHOI, JACOB Y

ART UNIT	PAPER NUMBER
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2875

DATE MAILED: 03/08/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/617,198

Applicant(s)

UOMORI ET AL.

Examiner

Jacob Y. Choi

Art Unit

2875

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 20 February 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) 1-20 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 21 and 22 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 05 July 2005 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Continued Examination Under 37 CFR 1.114

2. The request for a continued prosecution application (RCE) under 37 CFR 1.114 filed on [2/20/2006] is acknowledged.

Specification

3. The specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

Drawings

4. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, "*the projection range is divided into a plurality of ranges in a direction for forming the light pattern ... aligned in a direction perpendicular to the direction for forming the light pattern*" must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

5. Claims 21 & 22 are objected to because of the following informalities: The term "monotonously" in claims 21 & 22 are a relative term which renders the claim indefinite. One of ordinary skill in the art would not be reasonably apprised of the scope of the invention where applicant recites "intensity of the light sources increase or decrease monotonously in a linear group". The term "monotonously" is defined as tediously repetitious or lacking in variety then how does intensity of the light source(s) increase or

decrease. The term "monotonously" is not defined by the claim, the specification does not provide a standard for ascertaining the requisite degree.

Appropriate correction is required.

Note: claims 21 & 22 will be further examined as intensity of the light source(s) increase or decrease in a linear group.

Claim Rejections - 35 USC § 102

6. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

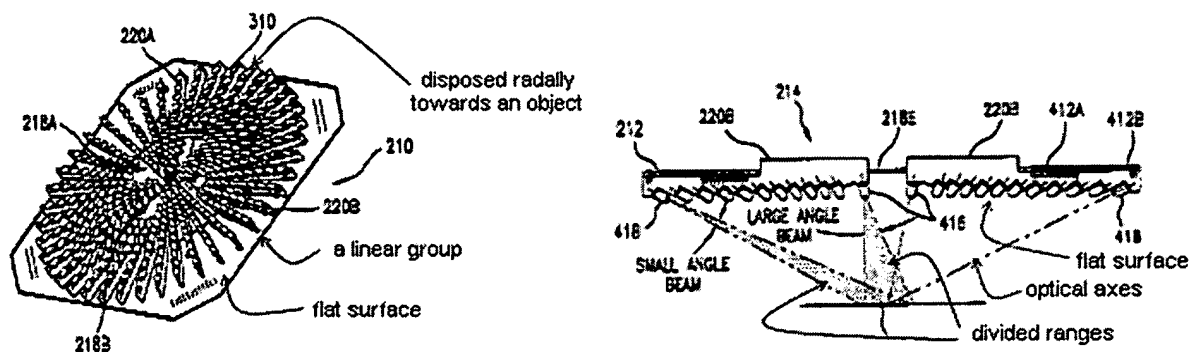
(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

7. Claims 21 & 22 are rejected under 35 U.S.C. 102(e) as being anticipated by Burnett (USPN 6,850,637).

Regarding claim 21, Burnett discloses a plurality of light sources (e.g., 416, 418) arranged therein, being operable to project a desired light pattern (e.g., Figure 4) according to control of a light emitting state of each of the plurality of light sources by a light source controller (e.g., column 4, lines 54-65 "... *electrical signals can be routed to the individual lighting elements. In particular, electrical signals can be routed from a system controller ... etc*"; column 5, lines 50-59; & claim 13), wherein the plurality of light sources (e.g., 416, 418) are arranged in an array on a flat surface (e.g., Figure 3)

with optical axes thereof disposed radially toward an object (e.g., 414), and the optical axes of light sources in a linear group are radially disposed outward in a common plane, and intensity (e.g., column 5, lines 20-33; column 5, lines 50-59 "... because groups of lighting elements can be separately controlled, the intensity from some groups might be increased by giving higher input power to that group ... etc"; claim 8) of the light sources increases or decreases in a linear group.



Note: claims in a pending application should be given their broadest reasonable interpretation. *In re Pearson*, 181 USPQ 641 (CCPA 1974).

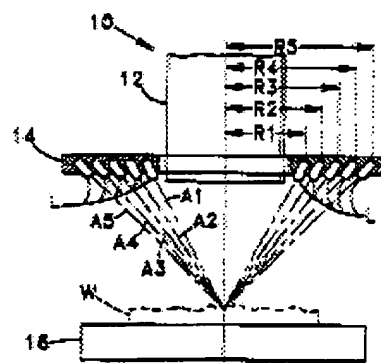
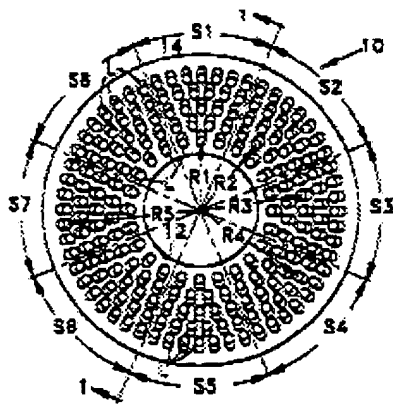
In order to be given patentable weight, a functional recitation must be supported by recitation in the claim of sufficient structure to warrant the presence of the functional language. *In re Fuller*, 1929 C.C. 172; 388 O.G. 279.

Regarding claim 22, Burnett discloses a plurality of light sources (416, 418) arranged therein, being operable to project a desired light pattern according to control of a light emitting state of each of the plurality of light sources by a light source controller (e.g., column 4, lines 54-65; column 5, lines 50-59; & claim 13) wherein a projection range is divided into a plurality of ranges in a direction for forming the light pattern, and groups of light sources respectively covering the plurality of divided ranges are aligned in a direction perpendicular to the direction for forming the light pattern (Figure 4), and

intensity (e.g., column 5, lines 20-33; column 5, lines 50-59; claim 8) of the light sources increase or decreases in each of the divided range in one direction.

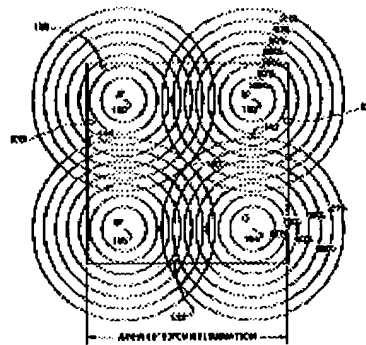
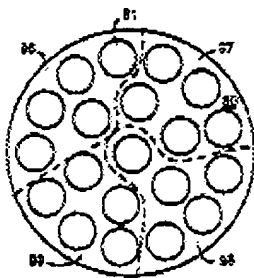
8. Claim 21 is rejected under 35 U.S.C. 102(b) as being anticipated by Polidor et al. (USPN 5,690,417).

Regarding claim 21, Polidor et al. discloses a plurality of light sources (e.g., "L") arranged therein, being operable to project a desired light pattern (e.g., A1-A5) according to control of a light emitting state of each of the plurality of light sources by a light source controller (e.g., column 4, lines 20-30 "... the microprocessor/controller is designed also to control the intensity of the illumination emitted by the lamps L ... etc"), wherein the plurality of light sources are arranged in an array on a flat surface (e.g., 14) with optical axes thereof disposed radially toward an object (e.g., "W"), and the optical axes of light sources in a linear group are radially disposed outward in a common plane, and intensity (e.g., column 4, lines 20-30 "... the microprocessor/controller is designed also to control the intensity of the illumination emitted by the lamps L ... etc"), of the light sources increases or decreases in a linear group.



9. Claim 22 is rejected under 35 U.S.C. 102(b) as being anticipated by Thraikill (USPN 5,822,053).

Regarding claim 22, Thraikill discloses a plurality of light sources (e.g., 44, 45, 46) arranged therein, being operable to project a desired light pattern (e.g., A', B', C', D') according to control of a light emitting state of each of the plurality of light sources by a light source controller (e.g., 16) wherein a projection range is divided into a plurality of ranges (A', B', C', D', Figures 5A & 5B) in a direction for forming the light pattern, and groups of light sources respectively covering the plurality of divided ranges are aligned in a direction perpendicular to the direction for forming the light pattern (e.g., Figure 11), and intensity (e.g., columns 5-6, 58-10) lines of the light sources increase or decreases monotonously in each of the divided range in one direction.



Response to Preliminary Amendment

10. Examiner acknowledges that the applicant has canceled claims 23-24. Currently, claims 21-22 are pending in the application while claims 1-20 are withdrawn.

Response to Arguments

11. Applicant's arguments with respect to claims 21-22 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

12. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Deck (USPN 5,309,277) – high intensity illuminator

White et al. (USPN 6,059,421) – hockey puck shaped continuous diffuse illumination apparatus and method

Christoph (USPN 6,948,825) – illumination device and method for illuminating an object

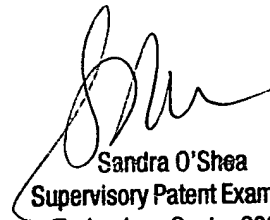
Sugawara (USPN 5,369,492) – bonding wire inspection apparatus

13. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jacob Y. Choi whose telephone number is (571) 272-2367. The examiner can normally be reached on Monday-Friday (10:00-7:00).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Sandra O'Shea can be reached on (571) 272-2378. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

JC



Sandra O'Shea
Supervisory Patent Examiner
Technology Center 2800